

PROPOSED BY – LAW
_____ 2024
BY-LAW NUMBER ____
OF THE
CORPORATION OF THE CITY OF KITCHENER
(Being a by-law to amend By-law 2019-051, as amended
known as the Zoning By-law for the City of Kitchener
– 2517293 Ontario Inc. – 490 Huron Road)

WHEREAS it is deemed expedient to amend By-law 2019-051 for the lands specified above;

NOW THEREFORE the Council of the Corporation of the City of Kitchener enacts as follows:

1. Zoning Grid Schedule Numbers 152, 153 and 165 of Appendix “A” to By-law 2019-051 are hereby amended by changing the zoning applicable to the parcel of land specified and illustrated as Area 1 on Map No. 1, in the City of Kitchener, attached hereto, from Mixed Use Three Zone (MIX-3) with Site Specific Provision (120) to Mixed Use Three Zone (MIX-3) with Site Specific Provision (120) and Holding Provision (82H).
2. Zoning Grid Schedule Numbers 152, 153 and 165 of Appendix “A” to By-law Number 2019-051 are hereby further amended by incorporating additional zone boundaries as shown on Map No.1 attached hereto.
3. Section 19 of By-law 2019-051 is hereby amended by modifying Site Specific Provision (120) thereto as follows:

“(120). Notwithstanding Section 8.2 Table 8-1 and Section 8.3 Table 8-2 of this By-law, within the lands zoned MIX-3 and shown as being affected by this Subsection on Zoning Grid Schedule Numbers 152, 153 and 165 of Appendix “A”, the following special regulations shall apply.

- a) The *ground floor* of any *building* located within 25 metres of the Strasburg Road *street line* shall have a minimum height of 4.5 metres;
- b) No minimum or maximum percent of non-residential *gross floor area* is

required;

- c) Regulation 8.2 (1) shall not apply;
- d) The maximum *building height* shall be 24 storeys and 80 metres and the maximum *floor space ratio* shall be 4.0.
- e) No minimum *ground floor street line façade* width as a percentage of the width of the abutting *street line* shall apply.
- f) On-site parking shall be permitted between a *building* and street line.
- g) Geothermal Energy Systems shall be prohibited.”

4. Section 20 of By-law 2019-51 is hereby amended by adding Holding Provision (82) thereto as follows:

“(82H). Notwithstanding Section 8 of this Bylaw, within the lands zoned MIX-3 and shown as being affected by this Subsection on Zoning Grid Schedules 152, 153 and 165 of Appendix “A”:

- i) No *residential use* shall be permitted until a detailed transportation (road) and stationary noise study has been completed and implementation measures recommended to the satisfaction of the *Region.*”

5. This By-law shall become effective only if Official Plan Amendment No. xx (490 Huron Road) comes into effect, pursuant to Section 24(2) of The Planning Act, R.S.O. 1990, c. P.13, as amended.

PASSED at the Council Chambers in the City of Kitchener this _____ day of _____, 2024.

Mayor

Clerk